



**United States  
Department of the Treasury**

**No FEAR Act Annual Report  
Fiscal Year (FY) 2018**

**Prepared by the  
Office of Civil Rights and Diversity**

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**United States Department of the Treasury**  
**No FEAR Act Report**  
**Fiscal Year (FY) 2018**

**Section I. Summary of District Court Cases (FY 2014 to FY 2018)**

Data was provided by the Department of the Treasury's Office of General Counsel, derived from reports submitted by each bureau. These charts show all cases and payments to the Judgment Fund in FY 2014 to FY 2018, regardless of when the case was filed. Because the charts show cases filed under multiple statutes, numbers will not total. The total number of cases settled, pending and adjudicated will not equal the total number filed due to cases filed prior to the five year reporting period.

- 1. The number of cases arising under each of the respective provisions of law covered by paragraphs (1) and (2) of section 201(a) in which discrimination on the part of the agency was alleged.*

	<b>TOTAL FILED: 126 cases</b>				
	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>
Title VII (race, color, religion, sex, national origin)	24	14	21	20	17
Age	11	6	8	6	9
Sex (Equal Pay Act)	0	0	1	1	1
Disability (Section 501 of the Rehabilitation Act of 1973)	5	5	9	6	10
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	1	1	0

2. *The status or disposition of cases described in paragraph (1).*

	<b>TOTAL SETTLED: 29 cases</b>				
	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>
Title VII (race, color, religion, sex, national origin)	8	5	3	6	2
Age	3	0	1	4	0
Sex (Equal Pay Act)	0	0	0	1	0
Disability (Section 501 of the Rehabilitation Act of 1973)	3	1	0	0	1
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

	<b>PENDING: 51 cases*</b>				
	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>
Title VII (race, color, religion, sex, national origin)	49	33	35	33	39
Age	38	15	16	11	17
Sex (Equal Pay Act)	0	0	1	0	1
Disability (Section 501 of the Rehabilitation Act of 1973)	43	12	14	13	18
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	1	1	0

\* Figure reflects total number of cases pending at the end of FY 2018 regardless of the year in which it was filed.

	<b>JUDGMENT FOR AGENCY: 101</b>				
	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>
Title VII (race, color, religion, sex, national origin)	21	20	14	18	14
Age	7	6	6	5	5
Sex (Equal Pay Act)	0	0	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	8	6	5	5	3
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	1

	<b>JUDGMENT FOR PLAINTIFF: 1</b>				
	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>
Title VII (race, color, religion, sex, national origin)	0	1	0	0	0
Age	0	0	0	0	0
Sex (Equal Pay Act)	0	0	0	0	0
Disability (Section 501 of the Rehabilitation Act of 1973)	0	0	0	0	0
Whistleblower protection laws, 5 U.S.C. §§ 2302(b)(1)-(9)	0	0	0	0	0

3. *The amount of money required to be reimbursed by such agency under section 201 in connection with each of such cases, separately identifying the aggregate amount of such reimbursements attributable to the payment of attorneys' fees, if any.*

FY Totals	TOTAL AMOUNT PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$837,430				
	FY14	FY15	FY16	FY17	FY18
	\$ 150,000	\$120,000	\$110,780	\$404,150	\$52,500

FY Totals	TOTAL ATTORNEY'S FEES PAID (SETTLEMENTS AND JUDGMENTS FOR PLAINTIFFS): \$55,000				
	FY14	FY15	FY16	FY17	FY18
	\$ 0	\$5,000	\$ 0	\$50,000	\$ 0

4. *The number of employees disciplined for discrimination, retaliation, harassment, or any other infraction of any provision of law referred to in paragraph (1).*

FY Totals	TOTAL NUMBER EMPLOYEES DISCIPLINED: 8				
	FY14	FY15	FY16	FY17	FY18
	0	2	4	0	2

5. *The final year-end data posted under section 301(c)(1)(B) for such fiscal year (without regard to section 301(c)(2)).*

See Attachment A.

6. *A detailed description of the policy implemented by that agency relating to appropriate disciplinary actions against a Federal employee who-*
- i. discriminated against any individual in violation of any of the laws cited under section 201(a)(1) or (2), or*
  - ii. committed another prohibited personnel practice that was revealed in the investigation of a complaint alleging a violation of any of the laws cited under section 201(a)(1) or (2), and with respect to each of such laws, the number of employees who are disciplined in accordance with such policy and the specific nature of the disciplinary action taken.*

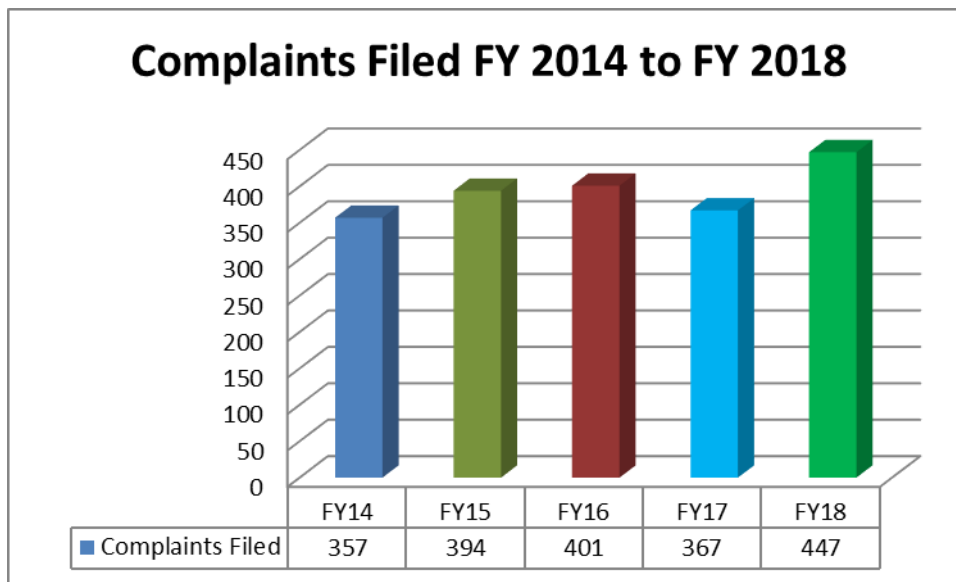
The Department's policy, *Disciplinary Action for Employees who Violate Antidiscrimination and Whistleblower Protection Laws*, requires bureaus to establish a disciplinary policy and/or table of penalties providing for appropriate disciplinary actions for employees who have intentionally engaged in discrimination or retaliatory actions, including retaliation for whistleblowing activities. All bureaus have established a disciplinary policy and/or table of penalties. In addition, the Department of the Treasury's Rules of Conduct (31 CFR §0.217) state that: "(a) Employees shall not discriminate against or harass any other employee, applicant for employment, contractor, or person dealing with the Department on official business on the basis of race, color, religion, national origin, sex, sexual orientation, age, disability, political affiliation, marital status, parental status, veterans status, or genetic information. (b) Supervisors shall not retaliate against an employee for complaining about suspected unlawful discrimination or harassment, seeking accommodation for a disability, or otherwise exercising their right to be free from unlawful discrimination. (c) An employee who engages in discriminatory or retaliatory conduct may be disciplined under these regulations, as well as other applicable laws[...]."

## Section II. Analysis of Administrative Complaints\*

7. An analysis of the information described under paragraphs (1) through (6) (in conjunction with data provided to the Equal Employment Opportunity Commission in compliance with part 1614 of title 29 of the Code of Federal Regulations) including:
- an examination of trends;
  - causal analysis;
  - practical knowledge gained through experience; and
  - any actions planned or taken to improve complaint or civil rights programs of the agency.

### A. Examination of Trends, Causal Analysis, and Practical Knowledge Gained Through Experience

Treasury's complaint activity data demonstrated a 21.7% increase in complaints filed from FY 2017 (367 complaints filed) to FY 2018 (447 complaints filed). The per capita rate of formal EEO complaints filed in FY 2018 saw an increase as well, from 0.36% in FY 2017 (348 complainants) to 0.44% in FY 2018 (411 complainants).



\* Administrative complaint data by fiscal year is based on the Equal Employment Opportunity Commission's annual 462 Report. Federal agencies are required to submit their administrative complaint data annually no later than October 31<sup>st</sup>. The 462 Report figures include EEO "mixed case" complaints but do not include class complaints.

For the last five fiscal years of complaints filed, the top basis was reprisal and the top issue was harassment (non-sexual). To deter harassment and reprisal in the workplace, the Department provides multiple training courses dealing with the prevention of harassment in the workplace for employees and supervisors through the Integrated Talent Management System. Treasury has a policy titled, *Procedures for Addressing Allegations of Discriminatory Harassment*, which instructs bureaus to establish and publicize procedures for reporting allegations of discriminatory harassment, conducting an inquiry, and making appropriate determinations based on the results of the inquiry. Treasury has a brochure titled, *Workplace Harassment: Your Rights and Responsibilities*, to educate Treasury employees on their rights and responsibilities as well as about the prevention of harassment in the workplace, which employees can access through the Department's intranet site. In addition, the Department developed a sexual harassment training module, available on our Integrated Training

Management (ITM) system, for use throughout the Department. As part of ongoing EEO training conducted by Treasury bureaus, managers receive information on the EEO complaint process, prohibited discrimination, retaliation, and agency liability when discrimination or retaliation is found. The topic of reprisal is addressed in the Secretary's annual EEO policy statement as well as in No FEAR Act training provided to new hires and biennially to all employees.

Top Three Bases		Top Three Issues	
FY 2018		FY 2018	
Reprisal	51.9%	Harassment (non-sexual)	41.8%
Disability (Physical)	33.5%	Evaluation/Appraisal	21.2%
Race (Black)	26.3%	Disciplinary Actions	19.4%
FY 2017		FY 2017	
Reprisal	49.8%	Harassment (non-sexual)	38.4%
Disability (Physical)	34.3%	Evaluation/Appraisal	20.9%
Age	28.1%	Disciplinary Actions	19.6%
FY 2016		FY 2016	
Reprisal	58.3%	Harassment (non-sexual)	44.3%
Disability (Physical)	33.9%	Evaluation/Appraisal	20.9%
Age	30.1%	Promotion/Non-Selection & Disciplinary Actions	16.4%
FY 2015		FY 2015	
Reprisal	55.6%	Harassment (non-sexual)	42.1%
Age	30.4%	Promotion/Non-Selection	21.5%
Disability (Physical)	27.6%	Evaluation/Appraisal	21.1%
FY 2014		FY 2014	
Reprisal	56.0%	Harassment (non-sexual)	42.5%
Disability (Physical)	32.4%	Evaluation/Appraisal	22.9%
Race (Black)	29.4%	Terms/Condition of Employment	19.3%

\* In FY 2016, Promotion/Non-Selection and Disciplinary Actions tied at 16.4% each for the third top issue of complaints filed.

During FY 2018, the Department completed 95.6% of all investigations of EEO complaints in a timely manner, a 5.2% increase from timely completing 90.4% in FY 2017. The Department continued to utilize a contract with the United States Postal Service to provide EEO investigative services. The Office of Civil Rights and Diversity (OCRD) continued to maintain the acceptance/dismissal/final agency decision functions for the Department.

Fiscal Year	Complaints Filed	Total Completed Investigations	Average Days	% Timely
FY 2018	447	385	167	95.6%
FY 2017	367	314	187	90.4%
FY 2016	401	352	198	77.5%
FY 2015	394	307	203	79.1%
FY 2014	357	353	250	65.7%



In FY 2018, the Department completed 823 informal counselings, of which 95.9% were timely processed and 46.9% reached resolution through settlement or withdrawal. The Department's 46.9% resolution rate of informal counselings demonstrates the Department's commitment to minimize the effect of conflict that detracts from employee satisfaction and undermines organizational efficiency.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Total # Completed Counselings	668	721	709	722	823
# Timely	647	690	679	680	790
% Timely	96.8%	95.7%	95.7%	94.1%	95.9%
% of Completed Counselings Resolved (Settlement/Withdrawal)	46.2%	46.3%	47.2%	50.2%	46.9%

The Department also provides information to managers and supervisors on Alternative Dispute Resolution (ADR) techniques and encourages employees to consider this avenue when a complaint has been filed. The Department has a policy titled, *Management Participation in Alternative Dispute Resolution (ADR) During the Equal Employment Opportunity (EEO) Process*, which requires management participation in ADR if the issue is suitable for ADR and ADR is elected by the complainant. For FY 2018, the Department established a goal of 45% ADR participation rate in the informal and 20% in the formal complaint process. For ADR in the informal process, the Department had a 56.7% participation rate, and in the formal process had an 11.7% participation rate.

Fiscal Year	Counselings/ Complaints	ADR Offers		ADR Participation	
	#	#	%	#	%
FY 2017 Completed Pre-Complaint Counselings	722	678	93.9%	434	60.1%
FY 2018 Completed Pre-Complaint Counselings	823	764	92.8%	467	56.7%
% Change FY 2017 to FY 2018	13.9%	12.6%		7.6%	
FY 2017 Formal Complaints Closures	381	334	87.6%	35	9.1%
FY 2018 Formal Complaints Closures	416	363	87.2%	49	11.7%
% Change FY 2017 to FY 2018	9.2%	8.7%		40.0%	

Through the Treasury Shared Neutrals (TSN) Program, Treasury maintains a nationwide cadre of certified and highly trained neutrals (also known as mediators). TSN mediators are employees from various organizations trained in the art of mediation who voluntarily serve on a collateral-duty basis. Their objective is to assist bureaus in resolving all types of workplace disputes at the earliest stages of the conflict and to provide a resolution through mediation, facilitation, and coaching. In FY 2018, the TSN program completed 259 mediations and had a 38% resolution rate.

To educate Treasury employees on various tools to deal with conflicts in the workplace, employees and managers were provided a lunch and learn webinar training titled, *Understanding the Civility*

*Spectrum in the Workplace*. The training discussed the effect of civility on workplace productivity and collaboration, how to recognize and diminish incivility in the workplace, and what to do to promote a culture of courtesy, respect, and collaboration.

## **B. Actions Taken to Improve Agency Complaint or Civil Rights Program**

The Department continually reviews all aspects of its workforce demographics to ensure we are putting in place the right human capital and EEO initiatives, policies, and training programs to meet the needs of our workforce in order to accomplish our mission. Through this ongoing analysis, the Department gains practical knowledge and makes determinations on how best to address any shortcomings identified and how to advance the needs of the workforce.

In FY 2018, the Department conducted the following activities based on its analysis of workforce demographics, training needs, and human capital initiatives:

- Established and posted a Treasury-wide Personal Assistant Services (PAS) policy and procedures to the Department's external and internal websites.
- Created a position description for hiring personal assistance service providers.
- Conducted multiple training sessions on the preparation of the new Equal Employment Opportunity Commission (EEOC) Management Directive 715 (MD-715), Version 2, PARTS A-J.
- Conducted a two-day barrier analysis training workshop for the U.S. Mint's five facilities' stakeholders. The workshop provided instruction on the identification of triggers, conducting root cause analysis to identify potential barriers, as well as how to prepare required plans to eliminate any identified barriers.
- Developed new workforce data tables required by the implementation of the EEOC's MD-715, Version 2.
- Implemented new reporting methodology for capturing applicant flow data as well as formal career development programs.
- Conducted two "Be a Champion Roadshows" with Fiscal Service and Departmental Offices managers and hiring officials to educate them on the use of special hiring authorities to increase the participation rate for persons with targeted disabilities (PWTD) and disabled veterans.
- Participated in the 25th Annual Federal Inter-Agency Days of Remembrance observation.
- Issued the Secretary's annual EEO policy statement for FY 2018.
- Launched two new Department-wide Employee Resource Groups (ERG): Adelante (Hispanic employees) and LEO (Law Enforcement Officers employees) in addition to the existing LGBTQ and veterans employees ERG groups.
- Designed and presented LGBTQ Cultural Competency training for 543 employees.

- Issued seven *Observance* newsletters; sharing inclusion opportunities associated with special emphasis groups and observances held throughout Treasury.
- Partnered with bureaus' Diversity and Inclusion liaisons to review bureau specific Federal Employee Viewpoint Survey data and update their New IQ plans as part of the Inclusive Diversity Strategic Plan for 2018.
- Conducted micro-aggression training sessions for the Philadelphia Mint's leadership and employees.
- Exceeded the EEOC's goal that 12 percent of all new permanent hires be persons with disabilities (PWD) (12.39 percent) and the sub goal that 2 percent of those hires be persons with targeted disabilities (PWTD) (3.57 percent).
- Provided a lunch and learn webinar training session titled, *Understanding the Civility Spectrum in the Workplace*. The training discussed the effect of workplace civility on productivity and collaboration, how to recognize and diminish incivility in the workplace, and what to do to promote a culture of courtesy, respect, and collaboration.
- Completed a total of 259 mediations and successfully resolved 99 (38%) of these completed mediations.

8. *Any adjustment (to the extent the adjustment can be ascertained in the budget of the agency) to comply with the requirements under section 201.*

Not Applicable.

**Attachment A**

**Administrative Equal Employment Opportunity (EEO) Complaint Data  
(FY 2014 to FY 2018)**

## Administrative Equal Employment Opportunity (EEO) Complaint Data (FY 2014 to FY 2018)

Note: Data provided through Treasury's iComplaints system. The report reflects case data in iComplaints as of 10/31/18 for the current and past five fiscal years. Mixed cases are included in this report. Class cases are not included.

Complaint Activity	Comparative Data					
	Previous Fiscal Year Data					2018
		2014	2015	2016	2017	
Number of Complaints Filed		357	394	401	367	447
Number of Complainants		330	372	373	348	411
Repeat Filers		21	16	23	18	32

Complaints by Basis	Comparative Data					
	Previous Fiscal Year Data					2018
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>		2014	2015	2016	2017	
Race		161	175	155	170	177
Color		35	56	51	61	56
Religion		14	23	17	26	18
Reprisal		206	221	240	200	231
Sex		121	150	153	134	147
Pregnancy Discrimination Act (PDA)		1	2	3	2	2
National Origin		35	48	43	42	54
Equal Pay Act		1	3	1	2	3
Age		119	125	126	114	102
Disability		94	139	155	141	177
Genetic Information Nondiscrimination Act (GINA)		0	3	0	1	3
Non-EEO		16	26	30	20	27

Complaints by Issue	Comparative Data				
	Previous Fiscal Year Data				2018
<i>Note: Complaints can be filed regarding multiple issues. The sum of the issues may not equal total complaints filed.</i>		2014	2015	2016	2017
Appointment/Hire		21	23	27	33
Assignment of Duties		48	55	50	61
Awards		7	11	6	16
Conversion to Full-time		1	0	1	1
Disciplinary Action					
○ Demotion		2	6	5	4
○ Reprimand		8	16	19	16
○ Suspension		18	16	25	19
○ Removal		6	6	6	4
○ Other		16	24	14	26
Duty Hours		12	14	10	11
Performance Appraisal		87	85	86	81
Examination/Test		0	0	0	1
Harassment					
○ Non-Sexual		154	170	183	151
○ Sexual		13	14	9	12
Medical Examination		0	4	1	4
Pay (Including Overtime)		9	10	6	16
Promotion/Non-Selection		58	86	66	72
Reassignment					
○ Denied		5	6	7	6
○ Directed		14	11	16	5
Reasonable Accommodation (Disability)		24	54	58	53
Reinstatement		0	1	2	1
Religious Accommodation		0	0	1	0
Retirement		3	3	5	3
Sex-Stereotyping		0	0	4	3
Telework		0	0	11	14

Complaints by Issue	Comparative Data					
	Previous Fiscal Year Data					
		2014	2015	2016	2017	
<i>Note: Complaints can be filed regarding multiple issues. The sum of the issues may not equal total complaints filed.</i>		2014	2015	2016	2017	2018
Termination		20	16	28	28	40
Terms/Conditions of Employment		69	82	61	62	78
Time and Attendance		53	64	61	58	63
Training		12	25	20	17	22
Other		0	0	2	5	0

Processing Time	Comparative Data					
	Previous Fiscal Year Data					2018
		2014	2015	2016	2017	
Complaints pending during fiscal year						
Average number of days in investigation		297.76	206.70	203.10	187.25	167.62
Average number of days in final action		32.37	32.47	39.20	33.86	36.08
Complaints pending during fiscal year where hearing was requested						
Average number of days in investigation		304.96	210.29	210.16	191.22	167.55
Average number of days in final action		21.27	9.75	27.55	23.83	27.46
Complaints pending during fiscal year where hearing was not requested						
Average number of days in investigation		284.95	199.54	200.68	186.39	172.42
Average number of days in final action		45.58	44.27	51.14	45.56	47.04

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				2018
	2014	2015	2016	2017	
Total Complaints Dismissed by Agency	49	55	58	47	51
Average days pending prior to dismissal	115.92	47.8	30.69	52.47	22.3
<b>Complaints Withdrawn by Complainants</b>					
Total Complaints Withdrawn by Complainants	48	22	32	21	23

Total Final Agency Actions Finding Discrimination	Comparative Data											
	Previous Fiscal Year Data										2018	
		2014		2015		2016		2017				
			#	%	#	%	#	%	#	%	#	%
Total Number Findings			1		0		8		13		7	
Without Hearing			0	0	0	0	6	75	12	92	6	86
With Hearing			1	100	0	0	2	25	1	8	1	14

Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data										2018	
			2014		2015		2016		2017			
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>			#	%	#	%	#	%	#	%	#	%
Total Number Findings			3		4		8		8		5	
Race			3	100	1	25	1	13	1	13	1	20
Color			0	0	0	0	1	13	1	13	1	20
Religion			1	33	0	0	1	13	0	0	0	0
Reprisal			1	33	2	50	2	25	5	63	2	40
Sex			1	33	0	0	2	25	4	50	0	0
PDA			0	0	0	0	0	0	1	13	0	0
National Origin			0	0	0	0	1	13	0	0	0	0
Equal Pay Act			0	0	0	0	0	0	0	0	0	0
Age			1	33	0	0	1	13	0	0	0	0
Disability			2	67	3	75	3	38	6	75	4	80
GINA			0	0	0	0	0	0	0	0	0	0
Non-EEO			0	0	0	0	0	0	0	0	0	0
Findings After Hearing			1		0		2		1		1	
Race			1	100	0	0	1	50	0	0	0	0
Color			0	0	0	0	1	50	0	0	0	0
Religion			0	0	0	0	0	0	0	0	0	0



Findings of Discrimination Rendered by Basis	Comparative Data											
	Previous Fiscal Year Data										2018	
			2014		2015		2016		2017			
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>			#	%	#	%	#	%	#	%	#	%
Reprisal			0	0	0	0	0	0	1	100	1	100
Sex			1	100	0	0	0	0	0	0	0	0
PDA			0	0	0	0	0	0	0	0	0	0
National Origin			0	0	0	0	0	0	0	0	0	0
Equal Pay Act			0	0	0	0	0	0	0	0	0	0
Age			0	0	0	0	1	50	0	0	0	0
Disability			0	0	0	0	1	50	1	100	0	0
GINA			0	0	0	0	0	0	0	0	0	0
Non-EEO			0	0	0	0	0	0	0	0	0	0
Findings Without Hearing			2		4		6		7		4	
Race			2	100	1	25	0	0	1	14	1	25
Color			0	0	0	0	0	0	1	14	1	25
Religion			1	50	0	0	1	17	0	0	0	0
Reprisal			1	50	2	50	2	33	4	57	1	25
Sex			0	0	0	0	2	33	4	57	0	0
PDA			0	0	0	0	0	0	1	14	0	0
National Origin			0	0	0	0	1	17	0	0	0	0
Equal Pay Act			0	0	0	0	0	0	0	0	0	0
Age			1	50	0	0	0	0	0	0	0	0
Disability			2	100	3	75	2	33	5	71	4	100
GINA			0	0	0	0	0	0	0	0	0	0
Non-EEO			0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2018	
			2014		2015		2016		2017			
			#	%	#	%	#	%	#	%	#	%
Total Number Findings			3		4		8		8		5	
Appointment/Hire			0	0	0	0	1	13	0	0	0	0
Assignment of Duties			0	0	0	0	1	13	0	0	0	0
Awards			0	0	0	0	0	0	0	0	0	0
Conversion to Full-time			0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
○ Demotion			0	0	0	0	0	0	0	0	0	0
○ Reprimand			0	0	0	0	0	0	0	0	0	0
○ Suspension			0	0	0	0	0	0	0	0	0	0
○ Removal			0	0	0	0	0	0	0	0	0	0
○ Other			1	33	0	0	0	0	0	0	0	0
Duty Hours			0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal			1	33	0	0	0	0	0	0	0	0
Examination/Test			0	0	0	0	0	0	0	0	0	0
Harassment												
○ Non-Sexual			1	33	3	75	1	13	2	25	1	20
○ Sexual			1	33	0	0	2	25	2	25	0	0
Medical Examination			0	0	1	25	0	0	0	0	0	0
Pay (Including Overtime)			0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection			0	0	0	0	1	13	0	0	0	0
Reassignment												
○ Denied			0	0	0	0	0	0	0	0	0	0
○ Directed			0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability			0	0	0	0	1	13	5	63	3	60
Reinstatement			0	0	0	0	0	0	0	0	0	0
Religious Accommodation			0	0	0	0	0	0	0	0	0	0
Retirement			0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2018	
			2014		2015		2016		2017			
			#	%	#	%	#	%	#	%	#	%
Sex-Stereotyping			0	0	0	0	0	0	0	0	0	0
Telework			0	0	0	0	0	0	0	0	0	0
Termination			0	0	0	0	0	0	1	13	0	0
Terms/Conditions of Employment			1	33	0	0	0	0	1	13	0	0
Time and Attendance			0	0	1	25	1	13	0	0	1	20
Training			0	0	0	0	0	0	0	0	0	0
Other			0	0	0	0	0	0	0	0	0	0
Findings After Hearing			1		0		2		1		1	
Appointment/Hire			0	0	0	0	0	0	0	0	0	0
Assignment of Duties			0	0	0	0	0	0	0	0	0	0
Awards			0	0	0	0	0	0	0	0	0	0
Conversion to Full-time			0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
○ Demotion			0	0	0	0	0	0	0	0	0	0
○ Reprimand			0	0	0	0	0	0	0	0	0	0
○ Suspension			0	0	0	0	0	0	0	0	0	0
○ Removal			0	0	0	0	0	0	0	0	0	0
○ Other			0	0	0	0	0	0	0	0	0	0
Duty Hours			0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal			0	0	0	0	0	0	0	0	0	0
Examination/Test			0	0	0	0	0	0	0	0	0	0
Harassment												
○ Non-Sexual			1	100	0	0	0	0	0	0	1	100
○ Sexual			1	100	0	0	0	0	0	0	0	0
Medical Examination			0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)			0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2018	
			2014		2015		2016		2017			
			#	%	#	%	#	%	#	%	#	%
Promotion/Non-Selection			0	0	0	0	1	50	0	0	0	0
Reassignment												
○ Denied			0	0	0	0	0	0	0	0	0	0
○ Directed			0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability			0	0	0	0	1	50	0	0	0	0
Reinstatement			0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping			0	0	0	0	0	0	0	0	0	0
Retirement			0	0	0	0	0	0	0	0	0	0
Religious Accommodation			0	0	0	0	0	0	0	0	0	0
Telework			0	0	0	0	0	0	0	0	0	0
Termination			0	0	0	0	0	0	0	0	0	0
Terms/Conditions of Employment			0	0	0	0	0	0	1	100	0	0
Time and Attendance			0	0	0	0	0	0	0	0	0	0
Training			0	0	0	0	0	0	0	0	0	0
Other			0	0	0	0	0	0	0	0	0	0
Findings Without Hearing			2		4		6		7		4	
Appointment/Hire			0	0	0	0	1	17	0	0	0	0
Assignment of Duties			0	0	0	0	1	17	0	0	0	0
Awards			0	0	0	0	0	0	0	0	0	0
Conversion to Full-time			0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
○ Demotion			0	0	0	0	0	0	0	0	0	0
○ Reprimand			0	0	0	0	0	0	0	0	0	0
○ Suspension			0	0	0	0	0	0	0	0	0	0
○ Removal			0	0	0	0	0	0	0	0	0	0
○ Other			1	50	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	Comparative Data											
	Previous Fiscal Year Data										2018	
			2014		2015		2016		2017			
			#	%	#	%	#	%	#	%	#	%
Duty Hours			0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal			1	50	0	0	0	0	0	0	0	0
Examination/Test			0	0	0	0	0	0	0	0	0	0
Harassment0												
○ 0Non-Sexual			0	0	3	75	1	17	2	29	0	0
○ Sexual			0	0	0	0	2	33	2	29	0	0
Medical Examination			0	0	1	25	0	0	0	0	0	0
Pay (Including Overtime)			0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection			0	0	0	0	0	0	0	0	0	0
Reassignment												
○ Denied			0	0	0	0	0	0	0	0	0	0
○ Directed			0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation Disability			0	0	0	0	0	0	5	71	3	75
Reinstatement			0	0	0	0	0	0	0	0	0	0
Sex-Stereotyping			0	0	0	0	0	0	0	0	0	0
Retirement			0	0	0	0	0	0	0	0	0	0
Religious Accommodation			0	0	0	0	0	0	0	0	0	0
Telework			0	0	0	0	0	0	0	0	0	0
Termination			0	0	0	0	0	0	1	14	0	0
Terms/Conditions of Employment			1	50	0	0	0	0	0	0	0	0
Time and Attendance			0	0	1	25	1	17	0	0	1	25
Training			0	0	0	0	0	0	0	0	0	0
Other			0	0	0	0	0	0	0	0	0	0

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data				
	Previous Fiscal Year Data				2018
	2014	2015	2016	2017	
Total complaints from previous Fiscal Years	357	394	401	367	447
Total Complainants	330	372	373	348	411
<b>Number complaints pending</b>					
Investigation	3	3	4	1	1
ROI issued, pending Complainant's action	7	0	0	0	0
Hearing	300	359	405	401	382
Final Agency Action	13	11	11	9	8

Complaint Investigations	Comparative Data				
	Previous Fiscal Year Data				2018
	2014	2015	2016	2017	
Pending Complaints Where Investigations Exceed Required Time Frames	4	17	6	3	0

## **Attachment B**

### **Department of the Treasury No FEAR Act Training Plan**

## Department of the Treasury No FEAR Act Training Plan

The Department of the Treasury's bureaus determine the training and tracking methods and timeframe to conduct biennial No FEAR Act training. In FY18, the Department offered two No FEAR Act training modules, one a refresher training for current employees and the other for new hires. Both training modules' content contains information on the Whistleblower Protection Enhancement Act (WPEA), as amended.

Bureau	Delivery of Training	Training Schedule	Training Completion Date
Office of the Special Inspector General for Troubled Asset Relief Program (SigTARP)  Office of the Inspector General (OIG)  Departmental Offices (DO)  Office of the Comptroller of the Currency (OCC)  Bureau of Engraving and Printing (BEP)  Bureau of Fiscal Service (BFS)  Alcohol and Tobacco Trade and Tax Bureau (TTB)	Treasury's Integrated Talent Management System (ITMS).  Training records in ITMS were used to demonstrate employees received the No FEAR Act training. ITMS automatically updated the training records of employees who completed the training. When employees receive the No FEAR Act training via a method other than ITMS, EEO Office worked with their ITMS POCs to update the employee's training record. Bureau EEO Offices cross-checked their current list of employees against the ITMS training records to verify how many current employees completed the training.	EEO Office and Training Office notified their workforce of this mandatory training requirement and provided alternative means of training delivery when needed.	Biennial training was completed in FY 2018. The percentage of employees who completed No FEAR training by bureau:  SIGTARP: 100% OIG: 100% DO: 73% OCC: 99% BEP: 96% BFS: 99% TTB: 89%  Training will be conducted in FY 2020.
United States Mint (Mint)  Treasury Inspector General for Tax Administration (TIGTA)  Financial Crimes Enforcement Network (FinCEN)	Treasury's Integrated Talent Management System (ITMS).  Training records in ITMS will be used to demonstrate employees received the No FEAR Act training. ITMS will automatically update the training records of employees who complete the training. When employees receive the No FEAR Act training via a	Bureau EEO Offices are responsible for notifying their workforce of this mandatory training requirement and providing alternative means of training delivery when needed.	Training will be conducted in FY 2019.



	method other than ITMS, EEO Office will work with their ITMS POCs to update the employee's training record. Bureau EEO Offices will cross-check the current list of all employees against the ITMS training records to verify how many current employees have in fact completed the training.		
Internal Revenue Service (IRS)  Internal Revenue Service Office of the Chief Counsel (IRSCC)	Treasury's Integrated Talent Management System (ITMS).  Training records in ITMS will be used to demonstrate employees received the No FEAR Act training. ITMS automatically updated the training records of employees who completed the training. When employees received the No FEAR Act training via a method other than ITMS, IRS manually updated the employee's ITMS training record. IRS cross-checked the current list of all employees against the ITMS training records to verify how many current employees completed the training.	IRS Office of Equity, Diversity and Inclusion (EDI) is responsible for notifying their workforce of this mandatory training requirement and providing alternative means of delivery to those employees who did not have access to ITMS.	Training will be conducted in FY 2019.